UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

ARTCRAFT PATTERN WORKS, INC.,

Plaintiff,

-VS-

48243-1668

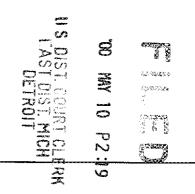
NORTHWEST PATTERN CO.,

Defendant.

Case No.
Hon. JOHN FELKENS

MAGISTRATE JUDGE CARLSO

Joseph C. Basta (P24645)
Thomas M. Schehr (P54391)
Robert L. Kelly (P34412)
DYKEMA GÖSSETT PLLC
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COMPLAINT AND JURY DEMAND

- 1. Plaintiff ArtCraft Pattern Works, Inc., is a Michigan corporation with its principal place of business in Westland, Michigan.
- 2. On information and belief, Defendant Northwest Pattern Co. is a Michigan corporation having its principal place of business at 29473 Medbury, Farmington, Michigan 48336.
- 3. This action arises under United States patent laws, 35 U. S. C. § 1 et seq. The Court has jurisdiction under 28 U. S. C. §§ 1331 and 1338.
- 4. On May 11, 1993, U. S. Patent No. 5,208,995 (the "995 patent") duly and legally issued to Blair T. McKendrick. (A copy of the patent-in-suit is attached as Exhibit A). The '995 patent was thereafter assigned to Plaintiff. Plaintiff has owned the '995 patent for all times pertinent hereto.

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- 5. The '995 patent relates to a fixture-type gauge for determining the conformance of one or more manufactured parts with a reference standard, as well as a method of manufacturing such a gauge. See Exhibit A.
- 6. The gauge was invented due in part to a clear need in the art for an improved gauge and method of manufacturing such a gauge that not only substantially reduces the time required to manufacture the gauge, but results in higher gauge accuracy. See Exhibit A.
- 7. The gauges manufactured and sold by Plaintiff clearly bore the patent number assigned by the United States Patent Office.
- 8. Defendant has manufactured and sold gauges that infringe, contributorily infringe, and has induced others to infringe the '995 patent. Plaintiff has notified Defendant of the alleged infringement.
- 9. Defendant has been, and still is, willfully infringing the '995 patent, and inducing others to do so.
- 10. Plaintiff has been, and will continue to be, damaged and irreparably harmed by Defendant's conduct unless Defendant is enjoined by this Court.

WHEREFORE, Plaintiff asks the Court to:

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- A. preliminarily and permanently enjoin Defendant from infringing Plaintiff's patent;
- B. award Plaintiff damages adequate to compensate for the infringement, but in no event less than a reasonable royalty for the use made of the invention by the infringer, together with interest and costs as fixed by the Court pursuant to 35 U. S. C. § 284;
- C. increase the damages three times for each of Defendant's willful infringements pursuant to 35 U. S. C. § 284;
- D. award Plaintiff its reasonable attorney's fees in accordance with 35 U. S. C. § 285;
 - E. award Plaintiff all other relief to which he is entitled.

JURY DEMAND

Plaintiff demands a trial by jury.

DYKEMA GOSSETT PLLC

By:

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ខ្លី Dated: May 10, 2000

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UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN

SEE CASE FILE FOR ADDITIONAL DOCUMENTS OR PAGES THAT WERE NOT SCANNED